

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 152

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Patricia A. Lundstrom

AN ACT

RELATING TO HIGHWAYS; AMENDING SECTION 67-11-9 NMSA 1978 (BEING LAWS 1957, CHAPTER 234, SECTION 9, AS AMENDED) TO PROVIDE FOR COMMERCIAL GOODS AND SERVICES ON PUBLICLY OWNED CONTROLLED-ACCESS FACILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 67-11-9 NMSA 1978 (being Laws 1957, Chapter 234, Section 9, as amended) is amended to read:

"67-11-9. LOCAL SERVICE ROADS. -- Commercial enterprises or activities [~~shall not~~] may be conducted, permitted or authorized on publicly owned land or land leased by the state, county, city, town or village highway authorities or by any other governmental agency for the purpose of providing goods and services to the users of [~~the~~] controlled-access facilities, and gasoline service stations or other commercial

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 establishments [~~shall not~~] may be built on the property
2 acquired for or in connection with the controlled-access
3 facilities. [~~However~~] In connection with the development of
4 any controlled-access facility, the state, county, city, town
5 or village highway authorities are authorized to plan,
6 designate, establish, use, regulate, alter, improve, maintain
7 and vacate local service roads and streets or to designate as
8 local service roads and [~~street~~] streets any existing road or
9 street in such manner as to facilitate the establishment and
10 operation of competitive gasoline service stations and other
11 commercial enterprises on private property abutting the service
12 roads and streets. The state transportation commission is
13 authorized to exercise jurisdiction over service roads and
14 streets in the same manner as is authorized over controlled-
15 access facilities under the terms of Chapter 67, Article 11
16 NMSA 1978. [~~Such~~] The local service roads and streets shall be
17 of appropriate design and shall be separated from the
18 controlled-access facility proper by means of all devices
19 designated as necessary or desirable by the proper authority. "